

AMENDMENT
Serial No. 09/343,758

YOR9-1999-0183

REMARKS

Claims 1 - 5, 7 - 21 and 23 - 25 remain in the application and stand rejected. Claims 6 and 22 are previously canceled. Claims 17, 18 and 24 are amended herein. No new matter is added.

The Examiner rejected claim 24 under 35 U.S.C. §112 for containing informalities. Responsive thereto, claim 23 is amended herein to include the recitations of claim 5. Claims 17 and 18 are amended for formal reasons. Reconsideration and withdrawal of the rejection to claim 24 under 35 U.S.C. §112 is respectfully solicited. No new matter is added by this amendment.

The Examiner asserts that claims 1 - 5, 7 - 21 and 23 - 25 are unpatentable under 35 U.S.C. §102(e) over Netscape Navigator 3.0 to James. The rejection is respectfully traversed.

The Examiner asserts that

James teaches a method of transferring data across a computer network which comprise setting data transfer constraints (Auto Load Images, Figure 8-15), requesting transfer of data (including image and sound data (page 357) stored on a remote computer system (inherent, page 360), storing a plurality of generic objects (placeholders), each stored generic object corresponding to an original object in data requested (placeholder for each image), identifying at least one object (image) included in said requested data as being associated with a generic object (placeholder, Fig. 8-16) and substituting the generic object for each of said at least one object (page 361, line 3) responsive to said data transfer constraints (page 359, last paragraph), outputting said requested data including said generic objects (Fig. 8-16) or corresponding original objects (page 361, Fig. 8-16)

James is a usage guide to a version of the well known Netscape Navigator. The portion of James upon which the rejection is based is the chapter entitled "Graphics, Sound & Video" and in particular, how to "bypass graphics altogether." *See*, page 359, line 24. James describes Figure 8-15 as showing "the option of turning off the automatic display of graphics by deselecting the Auto Load Images option on the Options menu (see Figure 8-15)." *Id.*, lines 25 - 27. It should be noted that the Examiner asserts that Figure 8-15 shows

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"setting data transfer constraints". Further, James states that "(w)hen this option is turned off, a small icon appears as a placeholder wherever an image is supposed to display." *Id.*, lines 27 – 29. Thus, James teaches a single generic icon (placeholder) that is substituted for images, the same icon is substituted for every image, regardless of the image content. Further, the placeholder conveys nothing more than that some image may be displayed in the placeholder location when the option is turned on.

As recited in claim 1, the present invention is a "method of transferring data across a computer network,... comprising the steps of: setting data transfer constraints" (lines 1 – 4 and, see claim 14, lines 1 – 3, claim 19, lines 1 – 6, claim 24, lines 1 – 4 and claim 25), not "turning off the automatic display of graphics" which is disclosed by James *Id.*, lines 25 – 26. See also, claim 8, for examples of data transfer constraints. Further, "at least one object included in said requested data (is identified) as being associated with a generic object" (claim 1, lines 6 – 7 with corresponding recitations in other independent claims) instead of having a single generic image (placeholder icon) associated with all images. Once the generic objects are identified, they are substituted "for each of said at least one object responsive to said data transfer constraints." Thus, application of the present invention to web page transfers, limited to images as described in the above passage from James, results in web page displays with generic images substituted for particular related species such that, the web page is displayed as an intelligible image with viewable images representing what will be displayed normally. *See, e.g.*, claims 9 – 12.

Thus, as provided in the specification, a "user, attempting to browse a remote web page, enters the page's URL into a web browser. The client system determines that the network is very congested in step 102 and..., while specific hyper text markup language... may specify a full image of a particular dog,... a generic dog image, cached in a prior download or residing in the user's local database" is substituted when the web page is displayed. *See*, page 9, lines 9 – 22. So, while a web page with several dogs might display the same image for each, the same image would not be substituted for cats, horses, lawn furniture or any other non-dog image. Someone viewing the display would immediately understand what the display conveys. This is not the case with a text only Netscape 3.0 web page. Therefore, James does not teach nor suggest the present invention

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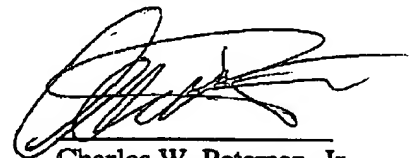
as claimed in any of claims 1 - 5, 7 - 21 and 23 - 25. Since James does not teach the invention, James does not make the present invention unpatentable under 35 U.S.C. §102(e). Reconsideration and withdrawal of the rejection of claims 1 - 5, 7 - 21 and 23 - 25 under 35 U.S.C. §102(3) over James is respectfully solicited.

The applicants thank the Examiner for efforts in examining the application, both past and present. Believing the Application in condition for allowance, both for the amendment to the claims and for the reasons set forth above, the applicants request that the Examiner reconsider and withdraw the rejection of claims 1 - 5, 7 - 21 and 23 - 25 under 35 U.S.C. §§102(e) and 112 and allow the Application to issue.

Should the Examiner believe anything further may be required, the Examiner is requested to contact the Applicant's undersigned attorney at the local telephone number listed below for a telephonic or personal interview to discuss any other changes.

Please charge any deficiencies in fees and credit any overpayment of fees to IBM Corporation Deposit Account No. 50-0510 and advise us accordingly.

Respectfully Submitted,



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(Date)

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